

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name: that I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought in the application entitled:

**AN OBJECT ORIENTED VIDEO SYSTEM**

which application is:

☐ the attached application  
(for original application)

X Application No. 09/937,096  
(Confirmation No. Not yet Assigned) filed  
September 20, 2001, and amended on October 11,  
2001  
(for declaration not accompanying application)

that I have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware and which is material to the patentability of this application as defined in 37 C.F.R. 1.56, that I hereby claim priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, §119(e) of any United States provisional application(s), or §365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT International application having a filing date before that of the application on which priority is claimed:

| Application Number | Country   | Filing Date      | Priority Claimed                    |                          |
|--------------------|-----------|------------------|-------------------------------------|--------------------------|
|                    |           |                  | Yes                                 | No                       |
| PQ 3603            | Australia | October 22, 1999 | X                                   | <input type="checkbox"/> |
| PQ 8661            | Australia | July 7, 2000     | X                                   | <input type="checkbox"/> |
| PCT/AU00/01296     | Australia | October 20, 2000 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

I hereby claim the benefit under 35 United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.

Filing Date

Status

I hereby appoint John H. Mion, Reg. No. 18,879; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603; George F. Lehnigk, Reg. No. 36,359; John T. Callahan, Reg. No. 32,607; Steven M. Gruskin, Reg. No. 36,818; Peter A. McKenna, Reg. No. 38,551 and Edward F. Kenchan, Reg. No. 28,962, my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to **SUGHRUE MION, PLLC**, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3213.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

✓ Date X 30/11/2001 First Inventor Ruben GONZALEZ  
First Name Middle Initial Last Name  
✓ Residence Arundel Hills Queensland AU ✓ Signature X [Signature]  
City State/Country  
✓ Mailing Address: 6 Herrington Close, Arundel Hills, Queensland 4214 Australia  
✓ Citizenship Australian

Form PTO-1595 (modified)  
(Rev. 03/01)  
OMB No. 0651-0027

# RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Ruben GONZALES

2. Name and address of receiving party(ies):  
ACTIVESKY, INC.  
730 Bair Island Road, Suite 101  
Redwood City, California 94063

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: December 5, 2001

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
09/937,096

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

**FILED**  
DEC 19 2001

5. Name and address of party to whom correspondence concerning document should be mailed:

SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Suite 800  
Washington, D.C. 20037-3213

6. Total number of applications and patents involved:  
1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Enclosed. Please charge any underpayment in connection with this Assignment to Deposit Account No. 19-4880.  
☐ Authorized to be charged to deposit account

8. Deposit account number:

19-4880

(Attach duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE**

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Richard C. Turner

Reg. No. 29,710

December 19, 2001

Date

Total number of pages including cover sheet, attachments, and documents: 2

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks  
Box Assignment  
Washington, D.C. 20231

# ASSIGNMENT

WHEREAS, I/WE (1) **Ruben GONZALEZ**  
an **Australian** citizen, residing at **6 Herrington Close, Arundel Hills, Queensland 4214, Australia**

(2)  
an \_\_\_\_\_ citizen, residing at \_\_\_\_\_

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in **AN OBJECT ORIENTED VIDEO SYSTEM**, the specification of which:

- (a) ☐ was executed on even date herewith;
- (b) ☒ was filed **20 September, 2001** as ☐ Application No **09/937096**  
or ☐ Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable); or
- (c) was described and claimed in PCT International Application \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

AND WHEREAS, **ACTIVESKY, INC.** with its principal place of business at  
**Suite 101, 730 Bair Island Road, Redwood City, California 94063, United States of America**

(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

X This 5th day of December, 2001

Signature of Ruben GONZALEZ

This \_\_\_\_\_ day of \_\_\_\_\_, 2001

Signature

This \_\_\_\_\_ day of \_\_\_\_\_, 2001

Signature of